

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.38 OF 2004**

Shri.Shivaji Govinda Chavan .. Appellant

V/s

Dinkar Maruti Chavan .. Respondent

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Mr.Dilip B.Bodake for the Appellant.  
None for the Respondent.

**CORAM : DR.S.RADHAKRISHNAN, J.**

**DATE : 7TH JUNE, 2006.**

**P.C.:**

1. Heard the learned Counsel for the Appellant. Perused the Trial Court's judgment as well as the lower Appellate Court's judgment. The Appellant-Plaintiff had filed the suit for perpetual injunction. The Trial Court, after recording evidence found no substance in the case and suit was dismissed. Consequently, the lower Appellate Court confirmed the findings of the Trial Court and dismissed the appeal. In paragraph - 14 of the Appellate Court judgment, it is clearly mentioned that the Appellant cannot claim the possession of the property on the basis of the Sanad. The Appellant had failed to establish lawful possession. In view thereof, there is no substantial questions of law involved in the above Appeal. The Appeal stands dismissed.

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(DR.S.RADHAKRISHNAN, J. )